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6 Attorneys for Defendants  
PRINCIPAL LIFE INSURANCE CO. and  
TARGET CORPORATION

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

12 | DON BORG,

Plaintiff,

14 ||

15 PRINCIPAL LIFE INSURANCE CO.,  
16 TARGET CORPORATION, and DOES 1  
through 20, inclusive,

## Defendants.

Case No. C-07-03149-HRL

[Hon. Howard R. Lloyd]

**ANGELA L. PADILLA'S  
DECLARATION IN SUPPORT OF  
STIPULATED REQUEST TO  
CHANGE DATE OF INITIAL CASE  
MANAGEMENT CONFERENCE  
AND OTHER DATES**

Currently Set For: September 18, 2007

Time: 1:30 p.m.

Location: Courtroom 2

1 I, Angela L. Padilla, do hereby declare and state as follows:

2 1. I am a member of the bar of the State of California and am admitted to practice  
3 before this Court. I am a partner at Morrison & Foerster LLP, attorneys of record for defendants  
4 Principal Life Insurance Co. ("Principal Life") and Target Corporation ("Target") (collectively,  
5 "Defendants"). If called as a witness, I could and would testify competently to the matters set  
6 forth herein. Pursuant to Civil Local Rule 6-2, I make this Declaration in support of the  
7 accompanying Stipulated Request and [Proposed] Order Changing Date of Initial Case  
8 Management Conference, and Other Dates.

9 2. Defendants filed a Motion to Dismiss on August 16, 2007, which is currently  
10 scheduled for hearing on October 2, 2007. If this Court were to grant Defendants' motion, this  
11 action would no longer be pending before this Court.

12 3. It is my belief that continuing the case management conference until after  
13 defendants' motion is resolved could conserve the parties' and the Court's time and resources.

14 4. It is my understanding that counsel for Plaintiff Don Borg's first availability after  
15 the hearing on Defendants' motion to dismiss is after November 20, 2007.

16 5. The Case Management Conference in this action has not previously been  
17 rescheduled. On July 16, 2007, Defendants filed with this Court a motion for an order enlarging  
18 the time to respond to Plaintiff's Complaint, until August 16, 2007, because Defendants had not  
19 yet received a complete copy of the Complaint. This Court granted Defendants' motion to enlarge  
20 time on July 19, 2007.

21 6. The modification requested in the accompanying Stipulation, if granted, will not  
22 have any impact on the schedule established for this case.

23 I declare under penalty of perjury under the laws of the United States that the foregoing is  
24 true and correct. Executed this 7<sup>th</sup> day of September 2007 at San Francisco, California.

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/s/ Angela L. Padilla  
Angela L. Padilla